



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Chris O'Rourke, et al.
Serial No.: 09/781,522
Filing Date: February 8, 2001
Group Art Unit: 2141
Examiner: Kristie D. Shingles
Title: METHOD ALLOCATION SCHEME FOR
MAINTAINING SERVER LOAD BALANCERS
SERVICES IN A HIGH THROUGHPUT
ENVIRONMENT

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Commissioner for Patents
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Dear Sir:

TERMINAL DISCLAIMER

Cisco Technology, Inc., owner of 100% percent interest in the above-identified patent application as evidenced by an assignment of the above-identified application by the inventors to Cisco Technology, Inc. and shown in the Assignment Records of the United States Patent and Trademark Office at Reel 011539, Frames 0905-0909, recorded on February 8, 2001, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend

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beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and §173, as presently shortened by any terminal disclaimer, of any patent issuing from U.S. Application Serial No. 09/780,755, filed February 8, 2001, also owned by Cisco Technology, Inc. and hereby agrees that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from U.S. Application Serial No. 09/780,755, this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors, or assigns.

Applicant does not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 and §173 of any patent issuing from U.S. Application Serial No. 09/780,755 as presently shortened by any terminal disclaimer, in the event that one or more of the following occurs to any patent issuing from U.S. Application Serial No. 09/780,755: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term, as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

An amount of \$110.00 is required to satisfy the terminal disclaimer fee under 37 C.F.R. §1.20(d). Attached herewith is a check made payable to the "Commissioner of Patents and Trademarks" in an amount of \$110.00 to satisfy the terminal disclaimer fee of 37 C.F.R. §1.20(d).

The Commissioner is hereby authorized to charge any other fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

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October 19, 2004

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